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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/869,259	11/28/2001	Jerry Moscovitch	500500008USB	2432

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GOWLING LAFLEUR HENDERSON LLP
COMMERCE COURT WEST, SUITE 4900
TORONTO, ON M5L 1J3
CANADA

EXAMINER

AWAD, AMR A

ART UNIT	PAPER NUMBER
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2675

DATE MAILED: 04/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/869,259

Applicant(s)

MOSCOVITCH ET AL.

Examiner

Amr Awad

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2004.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,5 and 7-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,5 and 7-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claim 17 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claims 15 and 16. See MPEP § 608.01(n). Accordingly, the claim17-16 not been further treated on the merits.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-2 and 15-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 recites, Coupling members for releasably coupling and supporting the second display above the first display". This limitation is indefinite because it is not clear whether the releasable tem means that it is able to release from supporting the second display above the first display to be rotated, or to actually separate the first display from the second display. A clarification and/or is respectfully requested by the examiner. For the sake of examining the claim on the merit, the examiner will assume that releasably means to be able to support above the first display and then enable to rotate. Claim 2 is rejected because it depends from rejected claim 1. As to claim 15, the claim recites "each said computer display". It is not clear to the examiner how many displays are recited in the claim. It appears that since the computer display pivotably connected to opposite ends of the support arm; then

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there are two displays. However, in line 4, the claim recites, "a respective computer display", which refers to single display. The examiner respectfully requests a clarification or correction. Claims 16-17 are rejected because they depend from rejected claim 15.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claim 1, 4 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Rebeske (US patent NO. 6,295,038).

As to independent claim 1, Rebeske (figures 1-5) teaches a dual computer display system (laptop with two displays) that includes, a first computer display (30) connected to the computer (10) for displaying a first computer image, a second computer display (35) rotatably connected to the first computer display (by a hinge) for displaying a second computer image (col. 2, lines 43-52), and a member (hinge guided by rollers 73) for releasably coupling and supporting the second display above the first display (figure 4), while allowing the rotation of the second display (figures 1-2 and 5) about generally vertical axis in moving between a first operating position in which the

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second display is viewable by a first person viewing the image (figure 4), and a second operating position (figures 1-2 and 5) in which the second image is viewable by a second person opposite the first person (col. 2, line 43 through col. 3, line 7).

As to independent claim 4, the claim is substantially similar to independent claim 1, and would be rejected similarly as in claim 1 above.

As to claim 7, Rebeske shows that the second computer display (35) is moveable between a vertical operating position in which the first and the second computer displays are oriented vertically and the second image is viewable by a first person viewing the first image (figure 4), a lateral operation position in which the first and the second computer displays are oriented laterally (figure 1) and the second image is viewable by the first person viewing the first image; and an opposite position in which the second image is viewable by a second person opposite the first person (col. 2, line 43 through col. 3, line 7).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rebeske in view of Fowler et al. (US patent NO. 6,302,612; hereinafter referred to as Fowler).

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As can be seen above, Rebeske teaches all the limitations of claim 2 except the citation of having the coupling member as a socket and plug.

However, Fowler shows the connection between the two displays as a socket and plug (ball) (col. 3, lines 4-13).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the teaching of Fowler to be incorporated to Rebeske's device so as motivated by Fowler, to allow the display to be rotatable within a plurality of degrees of freedom, and to enable the second display to take any orientation (col. 1, lines 44-49).

8. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rebeske in view of Register (US Patent NO. 5,673,170).

As can be seen above, Rebeske teaches all the limitations of claim 8 except the citation of having the second display being further moveable to a stored position in which the second image surface faces the first image faces. However, this limitation is taught by Register by enabling the display (28) to rotate around hinge (20) (col. 3, lines 35-40).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the teaching of Register enabling the folding of the second display, so as motivated by Register, to reduce the amount of desk space occupied by the second display (col. 3, lines 56-62).

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9. Claims 5, 9-11 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leveridge et al. (US patent NO. 5,904,328; hereinafter referred to as Leveridge) Register.

As to independent claim 5, Leveridge shows a computer display support structure (figure 2) that includes a support member (18), a support arm (84 and 88) extending from the support member and connectable to a first computer display (26) towards one end of the support arm, which displays a first computer image, for supporting the first computer display, and toward an opposite end of the support arm being connectable to a second computer display (28), which displays a second computer image, for supporting the second display (col. 2, line 59 through col. 3, line 15).

While Leveridge shows two arrows (figure 1) that suggests changing the distance between the two displays and the rotations of the two displays, Leveridge fails to clearly teach having at least one of the ends being moveable between a first operation position in which the first image is viewable by a first person viewing the second image and a second operating position in which the first image is viewable by a second person opposite the first person.

However, Register (figures 1 and 4) shows two computer displays (28 & 29) wherein one of the displays (28) is able to rotate around the axis (48) to be facing the opposite side of the display (28) (col. 4, lines 11-26).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the teaching of Register of enabling the

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second display to be rotatable to face the opposite direction of the first display, to be incorporated to Leveridge's device so as motivated by Register, to enable the user to rotate the second display in an opposite direction (col. 4, lines 23-25), which increases the versatility of the device.

As to independent claim 15, the claim is substantially similar to independent claim 5, and would be rejected similarly as shown with respect to claim 5 above.

As to claim 9, as can be seen above with respect to claim 8; Register shows the retracted configuration (by folding the second display), and the extended configuration (by extending the second display).

As to claim 10, as can be seen in figure 2, Leveridge shows the two ends (90) is being hinged and extendable along the hinge and the support member (col. 3, lines 1-6).

As to claim 11, as seen above, Leveridge (figure 2) shows that at least one of the ends is pivotable connectable to the first and second computer displays (col. 3, lines 1-6).

As to claim 16, as can be seen in figures 1-2, Leveridge shows that the pivot points are equidistant from the first and second edges (90).

10. Claims 12-14 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leveridge and Register in view of Moscovitch (Us patent NO. 5,687,939).

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As can be seen above, Leveridge and Register teach all the limitations of claims 12-14 and 17, except the citation of having the first orientation as a landscape and the second orientation as portrait orientation.

However, Moscovitch teaches the claimed limitation of having two orientations (portrait and landscape) (col. 4, line 61 through col. 5, line 15, and figures 1, 3-6).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the teaching of Moscovitch having to orientation to the displays, so as to make the device user friendly as well as to increase the versatility of the device.

Response to Arguments

11. Applicant's arguments with respect to claims 1-2, 4-5, 7-17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amr Awad whose telephone number is (571) 272-7764. The examiner can normally be reached on Monday through Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on (571)272-3638. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A. A.

AMR A. AWAD
PRIMARY EXAMINER
